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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EARL C. DOWNEND,  
Plaintiff,

No. C 05-03524 CRB  
**ORDER**

v.  
RONALD M. GEORGE,  
Defendant.

On September 19, 2005, plaintiff filed a letter requesting the Court to dismiss this case. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the Court hereby DISMISSES this case without prejudice.

**IT IS SO ORDERED.**

Dated: October 5, 2005

  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE